

## REMARKS

In response to the Office Action dated August 12, 2008, Applicant respectfully requests reconsideration based on the above amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claim 1 was objected to and has been amended to address the items raised by the Examiner.

Claims 1 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wu. This rejection is traversed for the following reasons.

Claim 1 recites, *inter alia*, “wherein if the phone includes a memory having a voice file stored therein, the signals received by the phone correspond to the first collection of speech generation commands, the phone accessing a predetermined set of the speech samples in the voice file based on the first collection of speech generation commands to generate auditory speech; wherein if the phone does not include a memory having a voice file stored therein, the signals received by the phone correspond to auditory speech, the phone generating auditory speech in response to the signals.” Support for these features is found in Figure 7A, steps 66-74 and paragraphs [0048]–[0053] of Applicant’s specification.

Wu fails to teach two modes of operation, dependent on if the phone includes a memory having a voice file stored therein. In Wu, the phone stores speech parameters indexed by digitized representations of phonics (paragraph [0018]) which the Examiner considered equivalent to the claimed voice file. Wu, however, fails to teach wherein if the phone does not include a memory having a voice file stored therein, the signals received by the phone correspond to auditory speech, the phone generating auditory speech in response to the signals. Thus, Wu cannot anticipate claim 1.

For at least the above reasons, claim 1 is patentable over Wu. Claim 6 depends from claim 1 and is patentable over Wu for at least the reasons advanced with reference to claim 1.

Claim 2 was rejected under 35 U.S.C. § 103 as being unpatentable over Wu in view of Walker. This rejection is traversed for the following reasons.

Walker was relied upon as allegedly disclosing a second computer for generating a second collection of speech generation commands but fails to cure the deficiencies of Wu discussed above with reference to claim 1. Walker discloses a number of text-to-speech (TTS) engines but does not teach different processing dependent on if the phone has a voice

file as recited in claim 1. Claim 2 is dependent on claim 1 and is patentable over Wu in view of Walker for at least the reasons advanced with reference to claim 1.

Claims 7, 9 and 13-15 were rejected under 35 U.S.C. § 103 as being unpatentable over Wu. This rejection is traversed for the following reasons.

Claims 7 and 15 recite, *inter alia*, “determining if the phone includes a voice file having a plurality of speech samples, wherein if the phone includes a memory having a voice file stored therein, generating a signal corresponding to the first collection of speech generation commands, wherein if the phone does not include a memory having a voice file stored therein, generating a signal corresponding to auditory speech; transmitting the signal through a communication network to the phone.” Support for these features is found in Figure 7A, steps 66-74 and paragraphs [0048] –[0053] of Applicant’s specification.

Wu fails to teach two modes of operation, dependent on if the phone includes a memory having a voice file stored therein. In Wu, the phone stores speech parameters indexed by digitized representations of phonics (paragraph [0018]), which the Examiner considered equivalent to the claimed voice file. Wu, however, fails to teach wherein if the phone does not include a memory having a voice file stored therein, the signals received by the phone correspond to auditory speech, the phone generating generate auditory speech in response to the signals. Thus, Wu cannot obviate claims 7 and 15.

For at least the above reasons, claims 7 and 15 are patentable over Wu. Claims 9, 13 and 14 depend from claim 7 and are patentable over Wu for at least the reasons advanced with reference to claim 7.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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